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Peter D. Isakoff

March 26, 2014

Honorable Shelley C. Chapman
United States Bankruptcy Court
for the Southern District of New York
One Bowling Green
New York, New York 10004

Re: *In re Lehman Brothers Holdings Inc.*, Case No. 08-13555 (SCC): Cross-Motion for
Summary Judgment (Claim Nos. 14824 and 14826)

Dear Judge Chapman:

We write on behalf of Lehman Brothers Holdings Inc. (“LBHI”) to request the Court’s permission to file a cross-motion for summary judgment. As the Court will recall, counsel for LBHI and Canary Wharf Management Ltd., Heron Quays (HQ2) T1 Limited and Heron Quays (HQ2) T2 Limited (“Canary Wharf”) appeared before the Court on February 25, 2014 at a pre-motion conference, during which the Court granted Canary Wharf’s request to move for summary judgment that LBHI is liable for Canary Wharf’s claims under paragraph 1 of the surety agreement and approved the parties’ agreed-upon briefing schedule. *See* Hr’g Tr. 17:16–18:8, Feb. 25, 2014; Letter to the Court, Feb. 10, 2014 (ECF No. 42659). Upon review of Canary Wharf’s motion and accompanying documents (ECF Nos. 43538–40), LBHI has determined to cross-move for summary judgment on the ground that, as a matter of law, it is not so liable. We have conferred with Canary Wharf’s counsel and they do not oppose the filing of a cross-motion.

LBHI’s opposition to Canary Wharf’s motion for summary judgment is currently due on May 2, 2013. If granted permission to file the cross-motion, it would file the motion on that date. Canary Wharf’s reply on its motion for summary judgment is currently due on May 23, 2014. We had proposed to Canary Wharf’s counsel that its opposition to LBHI’s cross-motion would likewise be due on that date and that LBHI’s reply on its cross motion would be due on June 13, 2014. Canary Wharf had no objection to that suggested briefing schedule.

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LBHI does not believe that a pre-motion conference under Local Rule 7056-1(a) is necessary because LBHI is seeking to cross-move on the same matter presented by Canary Wharf's motion. Should the Court wish to hold a conference, however, LBHI will attend at a time convenient for the Court and the parties. Thank you for your consideration.

Respectfully submitted,

/s/ Peter D. Isakoff

Peter D. Isakoff

*Attorneys for Lehman Brothers Holdings Inc.,
and Certain of Its Affiliates*

cc: David B. Tulchin (Attorneys for Canary Wharf)
Marc De Leeuw (Attorneys for Canary Wharf)